

Appl. No. 10/707,264  
Amdt. dated February 3, 2005  
Reply to Office action of November 17, 2004

**REMARKS/ARGUMENTS**

1. Amendment to claim 17:

Claim 17 has been amended to remove a limitation that was accidentally included in the original claim 17.

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Claim 17 previously stated the limitation "said second electrode comprising a bottom electrode in a substrate and an upwardly extending cylindrical center electrode electrically connected to a buried diffusion plate...", however, the term "a bottom electrode in a substrate" was accidentally included in claim 17. This term is redundant in view of the later recitation of the "upwardly extending cylindrical center electrode" and the "buried diffusion plate". The applicant has just noticed this error, and has thus corrected claim 17 as shown in the "Amendments to the Claims" section above. No new matter has been added through the amendment, and no material amendments to claim 17 have been made. Acceptance of the currently amended claim 17 is respectfully requested.

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2. Rejection of claims 17-19 and 21-23 under 35 U.S.C. 103(a):

Claims 17-19 and 21-23 are rejected under 35 U.S.C. 103(a), for reasons of record that can be found on pages 2-3 in the Office action identified above.

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**Response:**

The applicant would like to point out the differences between the combination of the Enders et al. (6,319,787) and Gambino et al. (6,194,755) patents and claim 17 of the instant application. Claim 17 was previously amended to include the limitations of original claim 20 in response to the previous Office action. Claim 17 contains the limitations "wherein said outer electrode layer encircles said upwardly extending cylindrical center electrode of said second electrode, and said upwardly extending cylindrical center electrode of said second electrode encircles said central pillar electrode of said first electrode".

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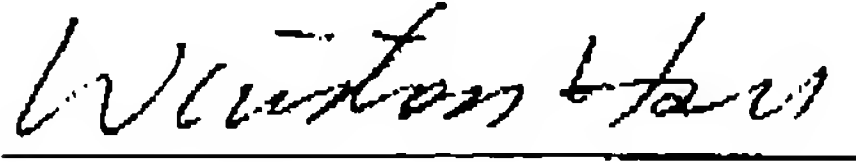
The Examiner stated in the Office action dated 11/17/2004 that "Enders et al. fail to disclose the required bottle-shaped trench structure, required diffused buried plate structure and the require encircling configuration." The Examiner then goes on to state  
5 that Gambino et al. disclose the required encircling configuration.

However, upon closer inspection of the Gambino et al. patent, the applicant finds that this is not the case. In col.4, lines 32-37, Gambino et al. describe that a metal silicide layer 32 is formed in the lower trench region 16b. The metal silicide layer 32 is  
10 conductive and is not an insulator or a dielectric layer. Therefore, as shown in Fig.2, Gambino et al. only teach one internal electrode made from the polysilicon 26, the metal silicide layer 32, and the polysilicon 34. The capacitor is formed from the buried plate 18, the dielectric layer 20, and the internal electrode 26, 32, 34. Therefore, the encircling structure recited in claim 17 is not taught by Gambino et al. For this reason, claim 17 is  
15 patentable over the combination of Enders et al. and Gambino et al.

Claims 18-19 and 21-23 are dependent on claim 17, and should be allowed if claim 17 is allowed. Reconsideration of claims 17-19 and 21-23 is requested. Since all claims are in condition for allowance, the applicant respectfully requests that a timely Notice of  
20 Allowance be issued in this case.

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Sincerely yours,



Date: February 03, 2005

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